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23 UNITED STATES DISTRICT COURT
24 FOR THE NORTHERN DISTRICT OF CALIFORNIA
25 SAN FRANCISCO DIVISION

26 AMERICAN FEDERATION OF
27 GOVERNMENT EMPLOYEES, AFL-CIO, et
28 al.,

Plaintiffs,

v.
DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

Case No. 3:25-cv-03698-SI

DECLARATION OF JESUS SORIANO

1 DECLARATION OF JESUS SORIANO

2 I, Jesus Soriano, declare as follows:

3 1. I am over 18 years of age and competent to give this declaration. This declaration is
4 based on my personal knowledge, information, and belief. I am providing this declaration in my
5 capacity as a union officer.

6 2. I am a Program Director at the National Science Foundation (“NSF”). I have
7 worked for NSF for 13 years. In my role, I review proposals for scientific research and
8 recommend proposals for NSF funding. My work supports the development of groundbreaking
9 research and emerging technologies.

10 3. I am the President of the American Federation of Government Employees Local
11 3404 (“Local 3404” or “Union”). I have been involved in Union leadership for 10 years.

12 4. Local 3404 represents a bargaining unit of approximately 1,746 civil servants who
13 work for NSF, National Endowment for the Arts, National Endowment for the Humanities, the
14 U.S. Department of Agriculture’s Economic Research Services and National Institute of Food and
15 Agriculture, the U.S. Geological Survey, and the Institute of Museum and Library Services. The
16 Union represents 1,072 employees at NSF. These employees include Program Directors with
17 expertise in engineering, education, mathematics, physical sciences, and biology, among other
18 disciplines; Program Administrators; Science Assistants and Analysts; IT and Operations
19 Specialists; Budget Analysts; and Technical Writers. They are based in Washington, D.C., and
20 more than 34 different States. These bargaining unit members review research grant proposals
21 and conduct grant and award management, budget and finance oversight, administrative services,
22 outreach to the scientific community, and statistical analysis to assess trends in science and
23 engineering.

24 5. Local 3404’s mission is to advocate for and promote the interests of bargaining unit
25 members in their federal employment. As the exclusive bargaining representative of these
26 workers, the Union provides many services to all bargaining unit members. Core functions of the
27 Union include collective bargaining with NSF and the other agencies where bargaining unit
28 employees work to obtain a fair and reasonable collective bargaining agreement (“CBA”); filing

1 and negotiating grievances against the agency to enforce the terms and conditions of the CBA;
2 pursuing arbitrations on behalf of workers to enforce the CBA; and providing other support,
3 guidance, and resources to bargaining unit employees. Local 3403 advocates for extending to
4 non-bargaining unit employees the same benefits it secures for bargaining unit employees. This
5 fosters cooperation among staff and increases efficiency and productivity across NSF. One of the
6 Union's core principles is to serve not only its members but also NSF's mission.

7 6. The Union first became aware of President Trump's plan to conduct "large-scale"
8 Reductions in Force ("RIFs") through the February 11, 2025, Executive Order. No one from NSF
9 had said anything about large-scale RIFs to the Union prior to that Order.

10 7. On February 26, 2025, the U.S. Office of Management and Budget ("OMB") and
11 the U.S. Office of Personnel Management ("OPM") sent a memorandum to the heads of executive
12 departments and agencies, providing guidance on implementing the February 11 Executive Order.
13 The memorandum instructed agencies to submit Agency RIF and Reorganization Plans
14 ("ARRPs") in two phases for review and approval by OMB and OPM. The phase 1 ARRP was
15 due on March 13 and the phase 2 ARRP was due on April 14.

16 8. I understand that, prior to March 13, NSF created a phase 1 ARRP pursuant to the
17 February 16 Executive Order and the February 26 memorandum from OMB and OPM. Through
18 conversations with NSF leadership, my understanding is that NSF's phase 1 ARRP did not include
19 plans for large-scale RIFs. NSF attempted to meet the directives of the Executive Order and the
20 February 26 memorandum in other ways, including through implementing a hiring freeze and
21 encouraging voluntary separations by requesting Voluntary Early Retirement Authority
22 ("VERA"), offering a Deferred Resignation Program ("DRP"), and offering Voluntary Separation
23 Incentive Payments ("VSIP").

24 9. However, based on conversations with NSF leadership, my understanding is that
25 OMB, OPM, and the Department of Government Efficiency ("DOGE") rejected NSF's phase 1
26 ARRP and directed the agency to implement large-scale RIFs instead. NSF is now following the
27 orders of the DOGE team embedded within the agency and plans to cut its staff of approximately
28 1,700 employees by half.

1 10. This information is confirmed by a news article published by the *Science* journal on
2 April 24, 2025. A true and correct copy of the Science article is attached hereto as Exhibit A. The
3 article reported that “orders from the White House” directed the NSF director to “fire half its
4 1700-person staff” and “accept a 55% cut to the agency’s \$9 billion budget next year.” As the
5 article noted, those orders may have led the NSF director, Sethuraman Panchanathan, to abruptly
6 resign on April 24.

7 11. According to the *Science* article, “[o]n 14 April, staffers from billionaire Elon
8 Musk’s Department of Government Efficiency (DOGE) set up shop for the first time at NSF and
9 triggered a series of events that appear to have culminated in Panchanathan’s resignation.” Ex. A,
10 p. 3. Over the next few days, NSF halted “any new awards for grants that had been recommended
11 for funding by program officers and were in the final stages of approval,” and “terminated more
12 than \$1 billion in grants already awarded” because they violated “Trump’s executive orders.” Ex.
13 A, p. 3. The article stated that these “recent disruption[s] to NSF’s well-regarded grantmaking
14 system was done on orders from DOGE.” Ex. A, p. 3. And on April 18, “DOGE told
15 Panchanathan to prepare a plan for massive layoffs across the agency.” Ex. A, p. 3.

16 12. NSF is now pressuring employees to take voluntary separation offers, including
17 through the Voluntary Early Retirement Authority and Deferred Resignation Program. The
18 window for taking those offers ends on May 8.

19 13. My understanding is that NSF will begin to conduct a large-scale RIF to reduce its
20 staff by half, soon after the window for voluntary separation offers closes on May 8. Many
21 bargaining unit employees have told me that they plan to take these voluntary separation offers
22 because they are concerned that they would be terminated through the RIF if they do not take the
23 offers.

24 14. NSF has not shared any information with the Union regarding its plans for the RIF.
25 Based on conversations with NSF leadership, my understanding is that OPM and DOGE
26 instructed NSF leadership to not share any information on the RIF with the Union. I have heard
27 that the agency may actually be planning to cut its staff by more than half, from approximately
28 1,700 to as few as 600 employees.

1 15. On April 29, the Union submitted a letter to NSF requesting information regarding
2 the RIF, including a list of all bargaining unit employees who may be impacted by the RIF, a
3 retention register, and NSF's plan for conducting the RIF. A true and correct copy of the request
4 for information, with my email address redacted, is attached hereto as Exhibit B. To date, the
5 Union has not received a response to the request.

6 16. Cutting NSF staff by half would have devastating impacts on the development of
7 scientific and technological research in the United States. NSF provides funding to almost all
8 scientific disciplines in science and engineering, and NSF-funded research has led to discoveries
9 that form the basis of many important technologies that we use today. For example, NSF has
10 funded research that has led to the development of the Internet, 3D printing, American Sign
11 Language, artificial intelligence, LASIK eye surgery, electric batteries, Magnetic Resonance
12 Imaging ("MRI") and countless other innovations.

13 17. As a result of the drastic cuts to NSF, there would not be sufficient employees to
14 review proposals for research and make funding recommendations. NSF's funding decisions
15 involve extensive peer review of the proposals and cannot be made in the same rigorous way with
16 a 50% cut to agency staff.

17 18. In addition, because many of the employees at NSF have expertise and post-
18 graduate training (usually from Master's degree or Ph.D. programs) in certain fields, any
19 remaining employees cannot do the work of others who leave the agency. For example, an NSF
20 employee trained in biology would not have the expertise to review proposals for physics in
21 research and make informed funding recommendations for those proposals.

22 19. This will hinder the development of scientific and engineering research throughout
23 the country.

24 20. NSF also provides many education programs to support undergraduate, graduate,
25 and postgraduate students and researchers in their scientific and engineering research. With a 50%
26 or greater cut to staff, the agency will not be able to train these future researchers, limiting the
27 advancement of science and technology in the country for many years to come.

28

1 21. The large-scale RIFs will also hinder NSF's ability to operate other programs, such
2 as the Office of Polar Programs. The Office supports innovative scientific research relating to
3 Earth's polar regions and is a multibillion program with significant geopolitical importance. Some
4 employees at the Office have special security clearance because of the serious geopolitical
5 concerns. With a 50% cut to staff, NSF will not be able to properly manage critical programs such
6 as this.

7 22. NSF's plan for large-scale reorganization and RIFs is also having an immediate
8 adverse effect on the Union's ability to provide core services to its members and to accomplish its
9 mission. Because NSF has not provided any information regarding the RIFs to bargaining unit
10 members, the Union is receiving numerous questions from members about what is happening.
11 Many members are extremely concerned about whether they will be subject to the RIF and lose
12 their employment, health insurance, and other benefits. The Union receives dozens of emails a
13 day regarding these issues, and have spoken to many members who are very panicked, confused,
14 and stressed about the situation. Responding to all the questions and trying to reassure members
15 takes a lot of time, and the Union's overall workload has probably increased by about 30 to 40
16 percent. The diversion of time toward those efforts threatens the Union's ability to provide core
17 services to unit members and to accomplish its mission.

18 23. The Union's staff and activities are funded through members' voluntary dues, most
19 of which are paid through payroll deduction from their pay. If the Union no longer receives dues
20 from half of its members who are being laid off, that will make it significantly more difficult for
21 the Union to continue to function and to provide the services and protection to bargaining units
22 identified here.

23 24. Because of these significant impacts to the Union and its members, if the current
24 plans for large-scale reorganization and RIFs had been published in the Federal Register for notice
25 and comment, the Union would have definitely commented on these plans.

26 25. I have worked in the federal government for 13 years and have experienced prior
27 government shutdowns in October 2013 and December 2018–January 2019. During those
28 shutdowns, NSF employees were furloughed, so research proposals were not being funded, awards

1 were not being given, and many funds were not being distributed. Even that temporary suspension
2 of NSF's work delayed the development of important scientific research. The dramatic cuts to
3 NSF now will permanently hinder the advancement of scientific and technological progress.

4 I declare under penalty of perjury under the laws of the United States that the foregoing is
5 true and correct. Executed April 30, 2025, in Alexandria, Virginia.

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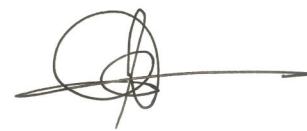
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Jesus Soriano

Exhibit A

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SCIENCEINSIDER SCIENTIFIC COMMUNITY

Exclusive: NSF director to resign amid grant terminations, job cuts, and controversy

“I have done all I can,” says Sethuraman Panchanathan, a Trump appointee who has led agency since 2020

24 APR 2025 • 2:10 PM ET • BY JEFFREY MERVIS



Sethuraman Panchanathan TOM WILLIAMS/CONGRESSIONAL QUARTERLY VIA ZUMA

SHARE:

The director of the National Science Foundation (NSF) announced his resignation today, 16 months before his 6-year term ends, in a letter to staff obtained by *Science*.

"I believe that I have done all I can to advance the mission of the agency and feel that it is time to pass the baton to new leadership," writes Sethuraman "Panch" Panchanathan, a computer scientist who was nominated to lead NSF by then-President Donald Trump in December 2019 and was confirmed by the Senate in August 2020. "I am deeply grateful to the presidents for the opportunity to serve our nation."

Although Panchanathan didn't give a reason for his sudden departure, orders from the White House to accept a 55% cut to the agency's \$9 billion budget next year and fire half its 1700-person staff may have been the final straws in a series of directives Panchanathan felt he could no longer obey.

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"He was trying so hard to present the agency in a positive light," says one knowledgeable source who asked to remain anonymous because of the sensitivity of their position. "But at the same time, Panch knew that he was alienating himself from the scientific community by being tone deaf to their growing concerns about the fate of the agency we all love."

On 14 April, staffers from billionaire Elon Musk's Department of Government Efficiency (DOGE) set up shop for the first time at NSF and triggered a series of events that appear to have culminated in Panchanathan's resignation. Two days later, NSF announced it was halting any new awards for grants that had been recommended for funding by program officers and were in the final stages of approval by agency officials. And NSF said pending proposals that appeared to violate any of Trump's executive orders—in particular those banning efforts to increase diversity in the scientific workforce, foster environmental justice, and study the spread of misinformation on social media sites—would be returned for "mitigation."

On 18 April, NSF announced it was terminating what could be more than \$1 billion in grants already awarded because they clashed with those directives and "were no longer priorities" for the agency.

ADVERTISEMENT

That most recent disruption to NSF's well-regarded grantmaking system was done on orders from DOGE, a knowledgeable source tells *Science*. The same day, DOGE told Panchanathan to prepare a plan for massive layoffs across the agency. Earlier in the month, the White House Office of Management and Budget had told him the president would be requesting only \$4 billion for the agency in his upcoming spending request to Congress for the 2026 fiscal year that begins on 1 October.

Panchanathan refers obliquely to that draconian reduction in his resignation letter. "While NSF has always been an efficient agency," he writes, "we still took [on] the challenge of identifying other possible efficiencies and reducing our commitments to serve the scientific community even better."

Before leading NSF, Panchanathan spent 20 years as a faculty member and then senior research administrator at Arizona State University. When nominated he was also a member of the National Science Board, NSF's presidentially appointed oversight body.

It's not immediately clear who will be named acting director before Trump names a replacement. Mathematician Karen Marrongelle, the agency's chief scientific officer and former head of its education directorate, this month was named president of Montana Technological University and starts there in August. The agency's chief management officer, Micah Cheatham, is an applied economist who has been at the agency for less than a year after working on the business side of various government agencies.

Here is the text of today's letter from Panchanathan:

Dear Colleagues,

It has been an honor and privilege to serve as the director of the National Science Foundation for the last 5 years.

As a faculty member and researcher, I have long admired the mission and impact of NSF.

It was an honor to be nominated to the National Science Board by President Obama in 2014, through which I had the opportunity to help shape the national strategy for science, technology, and innovation as well as the advancement of NSF.

I am grateful to President Trump for nominating me as the 15th director of NSF and for the unanimous support of the Senate resulting in my confirmation. I would also like to thank Dr. Kelvin Droegemeier for recommending my candidacy to President Trump and to OSTP Director Michael Kratsios for his support.

I came to NSF inspired by its mission, with a desire to serve the scientific community alongside the exceptional people of the agency. This has motivated me every day over the past 5 years.

I have always believed that innovation and opportunities must be unleashed everywhere at speed and scale, thereby nurturing talent in every corner of our great nation. This will ensure that we remain competitive and innovative on a global scale.

NSF always has been the agency that nurtures latent talent while advancing fundamental discoveries and translational solutions. These directly result in our economic and national security, including prosperity for all Americans.

The invisible hand of NSF propels the discovery engine of our nation evidenced by the numerous Nobel laureates, new technologies, industries of the future, and entrepreneurs of tomorrow. Every current technology has the imprint of NSF investments over the past decades. NSF is truly the envy of the world.

Our work over the last five years has resulted in (i) advancing numerous discoveries, (ii) launching impactful programs like the 27 AI institutes spanning the nation through strong public-private partnerships, (iii) seeding regional innovation engines across all parts of our

country, enabled by the new Technology, Innovation, and Partnership (TIP) Directorate, (iv) enabling the success of all institutions through the GRANTED program, and (v) unleashing solutions to grand challenges by partnering with like-minded nations through the Global Centers program.

It has been a privilege to work with the amazing leadership team during my tenure at NSF. Despite the many challenges over the past five years, including COVID, return to site, CUI and SAPHR, the incredible staff of NSF have always risen to the occasion. I am extremely grateful to all of you.

While NSF has always been an efficient agency, we still took the challenge of identifying other possible efficiencies and reducing our commitments to serve the scientific community even better.

This is a pivotal moment for our nation in terms of global competitiveness. NSF is an extremely important investment to make US scientific dominance a reality. We must not lose our competitive edge. A thoughtful approach to efficiencies and investments is incredibly important.

I believe that I have done all I can to advance the mission of the agency and feel that it is time for me to pass the baton to new leadership.

I am deeply grateful to the Presidents for the opportunity to serve our nation. I am also thankful for the strong bipartisan support of Congress.

I wish the very best for the agency and to all of you. I will always look proudly at the accomplishments and impact.

With gratitude,

Panch

doi: 10.1126/science.ztyi8ty

RELEVANT TAGS:

SCIENTIFIC COMMUNITY

TRUMP ADMINISTRATION

ABOUT THE AUTHOR



Jeffrey Mervis

Author

Jeff Mervis tries to explain how government works to readers of *Science*.

Exhibit B

April 29, 2025

Memorandum for the National Science Foundation

FROM: American Federation of Government Employees, Local 3403, AFL-CIO

TO: Micah Cheatham, Chief Management Officer;

Angel Williams, General Counsel

CC: Star Anderson, Director, Human Resources Division

Sharonda Anderson, Chief, Workforce Relations Branch

SUBJECT: Request for Information

1. This is a request for information by American Federation of Government Employees, Local 3403, AFL-CIO ("Local 3403" or the "Union") in connection with its representational duties, pursuant to 5 U.S.C. 7114(b)(4). Information requested in this correspondence is needed for the Union to provide adequate and effective representation, to determine whether a grievance should be filed, or whether other actions (e.g., unfair labor practices) may be appropriate in accordance with applicable laws, rules, regulations, and policies from higher authority. The Union requests that the information be provided via email within four (4) days of receipt to the Union Official designated below.
2. Particularized Need: Local 3403 has a particularized need for the information requested in order to investigate NSF implementation of Reduction in Force ("RIF") procedures under 5 C.F.R. Part 351. This information will allow the Union to meet its representational responsibilities as the exclusive representative of the bargaining unit.
3. Information Requested: Local 3403 requests a true, complete, and accurate copy of the following:
 - a. A list of all bargaining unit employees that have received, or are expected to receive, specific notices of a RIF which includes the following:
 - i. Full name of the employee;
 - ii. Entry on Duty (EOD") date;
 - iii. Service Computation Date ("SCD"), if applicable;
 - iv. Position Title;
 - v. Pay Plan;
 - vi. Occupational Series/Grade;
 - vii. Bargaining Unit State Code;
 - viii. Duty Station location;
 - ix. Stated reason for specific RIF action
 - b. A complete and up-to-date list of all competitive areas defined by the Agency, as required by 5 C.F.R. 351.402, with a list of all Agency employees who fall within each competitive area.

- c. A complete and up-to-date list of all competitive levels defined by the Agency, as required by 5 C.F.R. s 351.403, with a list of all Agency employees who fall within each competitive level.
- d. The retention registers compiled by the Agency since January 20, 2025, to determine which Agency employees were sent, or are expected top be sent, a specific RIF notice, as required by 5 C.F.R. Part 351, including the following information:
 - i. The employee's tenure group, competitive level, and original SCD;
 - ii. The employee's veteran preference;
 - iii. The employee's length of service;
 - iv. The amount of credit years for performance and, if applicable, the employee's adjusted SCD;
 - v. The employee's three most recent performance ratings received during the last four years, and/or the applicable performance ratings used to compute credit for performance.
- e. A list of all Agency employees who have not received, or are not expected to receive, specific RIF notices, including the following information for each such Agency employee:
 - i. Full name of the employee;
 - ii. EOD date;
 - iii. SCD, if applicable;
 - iv. Position title;
 - v. Pay plan;
 - vi. Occupational Series/Grade;
 - vii. Bargaining Unit Status Code
 - viii. Duty station location;
 - ix. Competitive Area;
 - x. Competitive Level.
- f. Confirmation and attendant evidence that the Agency has complied with the requirements at 5 C.F.R. s 351.803(a) to provide eligible employees with an estimate of their severance pay. Specifically, the Union requests that the Agency demonstrate its compliance with the statutory requirement that it estimate severance pay, not that it "empowers" employees to estimate severance pay on their own.
- g. Confirmation and attendant evidence that the Agency has complied with the notice requirements at 5 C.F.R. § 351.803(b).
- h. A list of all Agency officials and/or other government employees and/or other individuals responsible for drafting and/or transmitting any and all specific RIF or RIF-related notices sent or to be sent to bargaining unit employees since January 20, 2025.
- i. A list of all Agency officials and/or other government employees and/or individuals who directed that specific RIF notices or RIF-related be drafted or sent to bargaining unit employees since January 20, 2025.
- j. A table or chart identifying the current chain of command in leadership at the Agency.

- k. A list of individuals affiliated with the U.S. DOGE Service Temporary Organization, known as the Department of Government Efficiency ("DOGE"), who have in any way communicated with Agency leadership concerning the development and/or communication of RIF plans or RIF-related notifications (actual or planned) to bargaining unit employees since January 20, 2025.
 - l. A list of individuals affiliated with DOGE, who have access to Agency technology systems and digital infrastructure.
 - m. All documents related to any cost-savings analysis or analysis of fraud, waste, or abuse of government resources that was conducted in relation to the decision to include or exclude certain bargaining unit employees in a RIF since January 20, 2025.
 - n. All documents reflecting the planning and implementation of any reorganization of the Agency in preparation for or in conjunction with a RIF since January 2025.
 - n. All documents reflecting the Agency's plans to conduct and implement a reduction in force since January 20, 2025.
4. If any of the information requested is denied in whole or in part, please inform the Union, in writing, the name, position title and grade of the official making the decision and the specific statutory, regulatory, or contractual citation(s) on which the decision is based.

Please provide the Information Requested to Union President Jesus Soriano Molla at

[REDACTED] @nsf.gov

The Union retains the right to submit further information requests if the need for more information arises. If you have any questions concerning this matter, please contact Jesus Soriano.

/s/
Jesus Soriano
President

AFGE Local 3403, AFL-CIO
Representing NSF, IMLS, NEA, NEH, USDA-ERS, USDA-NIFA, USGS-Reston, USGS-CASC, USADF

/s/
Caroline Trabucco
Assistant General Counsel

Federation of Government Employees, AFL-CIO
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